

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARY VAN BRUNT-PIEHLER,

Plaintiff,

VERDICT SHEET

v.

6:16-CV-06313 EAW

ABSOLUTE SOFTWARE, INC.,
ABSOLUTE SOFTWARE CORPORATION,
GEOFF HAYDON, THOMAS KENNY,
and TODD AWTRY,

Defendants.

Section I: Plaintiff's Discrimination Claims

(1) Do you find in favor of the Plaintiff on her gender discrimination claim pursuant to Title VII?

Yes ____ No X

Only answer Question 1(a) if you answered "Yes."

(a) Do you find that the Defendants proved by a preponderance of the evidence that they would have made the same decision, even if gender discrimination played no role in the employment decision?

Yes ____ No ____

Proceed to Question 2.

(2) Do you find in favor of the Plaintiff on her gender discrimination claim pursuant to the New York State Human Rights Law?

Yes _____ No X

Only answer Question 2(a) if you answered "Yes."

(a) Do you find that the Defendants proved by a preponderance of the evidence that they would have made the same decision, even if gender discrimination played no role in the employment decision?

Yes _____ No _____

Proceed to Question 3.

(3) Do you find in favor of the Plaintiff on her Equal Pay Act claim?

Yes _____ No X

Proceed to Question 4.

(4) Do you find in favor of the Plaintiff on her retaliation claim pursuant to the New York State Human Rights Law?

Yes X No _____

If you answered "Yes" to Question 2 and "No" to Question 2(a) and/or "Yes" to Question 4, proceed to Question 5.

If you answered "No" to Question 2 and Question 4, but "Yes" to Question 1 and "No" to Question 1(a) and/or "Yes" to Question 3, proceed to Section II.

If you answered "No" to Questions 1, 2, 3, and 4, sign and date the Verdict Form in the space indicated below, and inform the Judge that you have arrived at a unanimous verdict.

(5) Do you find in favor of the Plaintiff on her claims for individual liability against any of the individual defendants?

Geoff Haydon

Yes _____ No ~~X~~

Thomas Kenny

Yes _____ No ~~X~~

Todd Awtry

Yes _____ No ~~X~~

Proceed to Section II.

Section II: Damages

You should complete this section only if:

- (a) You answered "Yes" to Question 1 and "No" to Question 1(a);*
- (b) You answered "Yes" to Question 2 and "No" to Question 2(a);*
- (c) You answered "Yes" to Question 3; and/or*
- (d) You answered "Yes" to Question 4.*

If you answered "No" to Questions 1, 2, 3 and 4, sign and date the Verdict Form in the space indicated below and inform the Judge that you have arrived at a unanimous verdict.

(6) Compensatory Damages.

What amount, if any, in compensatory damages do you find will fairly and adequately compensate the Plaintiff for the damages, if any, that were proximately caused by the Defendants?

\$ 75,000.00

Proceed to Question 7.

(7) Nominal Damages

If you answered "Yes" to Questions 1, 2, 3, and/or 4, but did not award any compensatory damages to the Plaintiff in response to Question 6, you are required to award the Plaintiff nominal damages, not to exceed one dollar.

\$ 0

If you answered "Yes" to Question 1 and "No" to Question 1(a), proceed to Question 8. If you answered "No" to Question 1, sign and date the Verdict Form in the space indicated below and inform the Judge that you have arrived at a unanimous verdict.

(8) Punitive Damages

Do you find that the Plaintiff has demonstrated that punitive damages are warranted in this case?

 Yes or No

(9) If you answered “Yes” to Question 8, please specify the amount of punitive damages awarded to the Plaintiff:

\$ _____

STOP: Please proceed to the signature page.

SIGNATURE PAGE

Instructions to the Foreperson: Once you have indicated the jury's answers to the questions above and have been directed by the instructions to the signature page, simply sign and date this page in the space provided below. Then inform the court security officer that you have finished deliberating.

By her signature below, the jury foreperson affirms that the above are the answers of the unanimous jury in the case of *Mary Van Brunt-Piehl v. Absolute Software, Inc.*, 6:16-CV-06313.

S/FOREPERSON

FOREPERSON

Dated: March 16, 2023